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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/012,458	12/12/2001	Ji-Hoon Huh	SI-0012	7273
34610	7590	06/17/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			NGUYEN, TRONG NHAN P	
			ART UNIT	PAPER NUMBER

2152

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/012,458

Applicant(s)

HUH, JI-HOON

Examiner

Jack P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Claims 1-20 are being examined.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 16-19 are directed to a software data structure that is neither a process, machine, manufacture, etc. and are rejected because they are directed to non-statutory subject matter.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 6-10, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Atkinson et al, 6,381,239 (Atkinson hereafter).**

As per claims 1, Atkinson teaches a method of interfacing with a switching system (abstract), comprising: transmitting a Telecommunication Management Network (TMN) operator command from a TMN agent (computer) to a Man-Machine Interface

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(MMI) block (30, fig. 1), using an MMI input packet (col. 21, lines 15-19 & 47-50; external agent (computer) sends an operator command to the switching system (fig. 1) via its interface (30, fig. 1; the administration/maintenance interface serves as a common interface between the external computers and applications of the switching system) to configure/administer the switching system; incoming operator command is sent as an input packet); transmitting a result of the TMN operator command, processed by an application block, from the MMI block to the TMN agent, using an MMI output packet (col. 21, lines 15-19 & 47-50; after the switching system, via its interface (30, fig. 1), processes the command operator, it sends the response (result) back to the requesting agent as an output packet); transmitting an MMI operator command from an MMI to the MMI block, using the MMI input packet ((col. 21, lines 15-19 & 47-50; the switching system (fig. 1), via its interface (30, fig. 1), can process requests from a plurality of clients; e.g., an operator of the craft terminal (or also referred to as MMI terminal) sends operator commands to the switching system for service); and transmitting a result of the MMI operator command, processed by the application block, from the MMI block to the MMI, using the MMI output packet (col. 21, lines 15-19 & 47-50; after processing the request from the craft terminal operator, the switching system sends the response back as an output packet).

Claims 8 and 13 recite similar limitations as claims 1; therefore, they are rejected using same rationale as claim 1.

As per claims 6-7 and 9-10, Atkinson teaches transmitting the TMN/MMI operator command received through the MMI input packet to the application block as an input

packet (col. 21, lines 15-19 & 47-50; see claim 1 rejection); and executing the received TMN/MMI operator command in the application block and then transmitting the execution result of the TMN/MMI operator command to the MMI block as an output packet (col. 21, lines 15-19 & 47-50; see claim 1 rejection).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2-5, 11-12, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkinson in view of Yamaguchi et al, 6,094,276 (Yamaguchi hereafter).**

As per claim 11, Atkinson does not explicitly disclose the specific data fields of the data packet. However, Yamaguchi discloses a data packet that includes data fields such as: a command (function) number that indicates a sequence number of an input command (10021, fig. 8, col. 6, lines 8-9; function (command) ID identifies the command number of the packet); a data type that indicates a type of data (col. 5, line 54; packet data type indicates data type of the packet); an operation or processor/process ID that indicate a type of operation/process of the packet (10022; fig. 8, col. 6, lines 10; job-type ID identifies the process/operation of the packet); an input port number that identifies an input port (10001, fig. 8, col. 5, lines 51-53; port number

indicates recipient port address) ; a job ID that identifies the input command (10023, fig. 8, col. 6, lines 11; job ID identifies the job being requested). Hence, it would have been obvious to one of ordinary skill in the art to modify and combine the teachings of Atkinson and Yamaguchi to include other data fields such as signal ID of the packet as desired without departing from the scope and teachings of prior art. In addition, additional packet data fields allow additional commands/information sent and received by the client and processed by the switching device.

As per claim 12, Atkinson does not explicitly disclose the specific data fields of the data packet. However, Yamaguchi discloses a data packet that includes data fields such as: a data number that indicates a sequence number of output data (10019, fig. 8, col. 5, lines 62-64; header code ID identifies the message packet); a data type that indicates a type of data (col. 5, line 54; packet data type indicates data type of the packet); an operation or process ID that indicate a type of operation/process of the packet (10022; fig. 8, col. 6, lines 10; job-type ID identifies the process/operation of the packet); an input port number that identifies an input port (10001, fig. 8, col. 5, lines 51-53; port number indicates recipient port address) ; a job ID that identifies the input command (10023, fig. 8, col. 6, lines 11; job ID identifies the job being requested); a message type that identifies a type of message (10005-6, fig. 12, col. 9, lines 10-11; image data type indicates the type of data of the packet); a flag that identifies a message operation (10006, col. 6, line 14; status block identifies the status flag of the packet). Hence, it would have been obvious to one of ordinary skill in the art to modify and combine the teachings of Atkinson and Yamaguchi to include other data fields such

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as time and date of the packet as desired without departing from the scope and teachings of prior art. In addition, additional packet data fields allow additional commands/information sent and received by the client and processed by the switching device.

Claims 2-3, 14, and 16 recite similar limitations as claim 11; therefore, they are rejected by similar rationale as claim 11.

Claims 4-5, 15, and 17-19 recite similar limitations as claim 12; therefore, they are rejected by similar rationale as claim 12.

As per claim 20, Atkinson discloses the client devices (computers, MMI craft terminals, etc.) send operator commands to switching system for processing (see claim 1 rejection). However, Atkinson does not explicitly disclose the TMN operator command is originated by a network management center. Hence, it would have been obvious to one of ordinary skill in the art to allow the switching system to receive operator commands from a plurality of sources because it would have enabled to system to service a wider range of clients.

### ***Conclusion***

**The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

- Allavarpu et al, 6,813,770; Scholl et al, 5,742,762; Mousseau et al, 5,559,800 ; Shiran et al, 6,636,503 ; Park et al, US Pub 2002/0006779 ; Meandzija, 6,404,743 ; Krishnamurthy et al, 6,389,464


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (571) 272-3945. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn

  
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